

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.	: 10/604,182	Confirmation No. 1181
Applicant:	: Dennis K. Killinger	
Filed:	: 06/30/2003	
TC/A.U.	: 2613	
Examiner	: Agustin Bello	
Docket No.	: 1372.08.PRWOUS	
Customer No.	: 21901	
For	: Open-Path/Free-Space Optical Communication System and Method Using Reflected or Backscattered Light	

Vis EFS-Web  
Hon. Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**PETITION TO ADD UNINTENTIONALLY  
DELAYED DOMESTIC PRIORITY CLAIM  
(37 C.F.R. § 1.78(a)(3))**

1. A petition is hereby made to add an unintentionally delayed priority claim.
2. The above-identified application was originally filed June 30, 2003. The first two paragraphs of the application following the title consist of cross-references to earlier-filed applications: "International Application, Serial Number PCT/US02/02866, filed January 30, 2002, which International Application claims a priority date of January 30, 2001 based on prior filed U.S. Provisional Application Serial Number 60/265,022." The earlier-filed applications were never recognized by the Office. The specific references to the earlier-filed applications were otherwise in compliance with 37 C.F.R. 1.78 and 35 U.S.C. 120.
3. An amendment including the reference to the prior filed applications is being filed herewith.
4. The entire delay between the date the claim for domestic priority was due under 37 C.F.R. §1.78(a)(2)(ii) and the date of this petition filed was unintentional.

5. Fee Payment

37 C.F.R. § 1.17(t) \$ 1,410.00

The fee under 37 C.F.R. § 1.17(t) in the amount of \$1,410.00 is being paid concurrently herewith on the Electronic Filing System (EFS) by way of credit card authorization.

Very respectfully,

**SMITH & HOPEN, P.A.**

/jeremy spier/

**SIGNATURE OF PRACTITIONER**

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**CERTIFICATE OF ELECTRONIC TRANSMISSION**

**(37 C.F.R. § 1.8)**

I HEREBY CERTIFY that this correspondence is being electronically transmitted to the Patent and Trademark Office through EFS Web on April 23, 2010.

Date: April 23, 2010

/peggy c samuel/

Peggy C. Samuel